

IN THE  
CIRCUIT AND SUPERIOR COURT  
OF  
JACKSON COUNTY, INDIANA

IN THE MATTER OF  
CASELOAD ALLOCATION FOR  
JACKSON COUNTY, INDIANA

Cause No. 36C01-0707-CB-2  
Cause No. 36D01-0707-CB-2

**ORDER FINDING GOOD CAUSE TO AMEND LOCAL RULES AT TIME  
OTHER  
THAN ESTABLISHED SCHEDULE**

During the 2007 legislative session the general assembly created an additional Superior Court for Jackson County. Significant community support exists for the establishment of this court. From the beginning of local discussions about the creation of a new court, a concern was repeatedly expressed that family court issues needed more attention than the existing courts were able to provide. Throughout the county, town boards, school boards, civic leaders and civic organizations voiced the concern that if a new court were to be created, it should concentrate on family law issues.

After the enactment of HB1001, the trial court judges of Jackson County met with the Executive Director, Office of State Court Administration and a staff member of that office to explore various case allocation approaches to see if the criteria established by Ind. Administrative Rule 1(E) could be met if one court focused on family matters. Using the weighted caseload statistics from 2006, the proposal being submitted does comply with Ind. Administrative Rule 1(E).

Because there is a need to more expeditiously address the critical matters of family that confront our citizens and because there is continuing support for a court to concentrate on these concerns, the trial court judges of Jackson County propose the following case allocation rule.

The judges of the Jackson Circuit Court and the Jackson Superior Court, pursuant to Ind. Trial Rule 81(D), now find that good cause exists to deviate from the schedule established by the Division of State Court Administration for posting local rule amendments and that the Courts' local rule regarding case load allocation should be amended effective January 1, 2008 to include Jackson Superior Court 2. After approval by the Indiana Supreme Court and after publication for 30 days in the Jackson County Clerk's office and on the Indiana Judicial Website, the Courts will enter an effective date for this rule amendment as follows:

LR36-AR1(E)-7. PLAN FOR CASE ALLOCATION FOR JACKSON COUNTY,  
INDIANA, EFFECTIVE JANUARY 1, 2008

1. All new case filings designated as MR, FA, FB, FC, FD, PC, MH, AD, ES, EU, GU and TR shall be filed in the Circuit Court.
2. All new case filings designated as CM, SC, OV and IF shall be filed in Superior Court 1.
3. All new case filings designated as JC, JD, JS, JP, JM, DR, RS, JT and PO shall be filed in Superior Court 2.
4. All new cases designated as MC, PL, MF, CC, CT, and MI shall be divided between the Circuit Court and Superior Court 1 by a "blind draw" system that, as closely as possible, evenly divides those cases.
5. All active cases pending on January 1, 2008 of the types designated for filing in Superior Court 2 shall be transferred to Superior Court 2. Dormant cases shall be transferred at the time the case may be re-docketed.

6. Number five (5) above notwithstanding, the presiding judge of the Circuit Court or Superior Court 1 may retain any pending or re-docketed case if, in the discretion of that judge, the interests of justice are best served by such retention.

IT IS THEREFORE ORDERED that pursuant to Ind. T.R. 81(B)(1), the Courts shall receive comments to this rule.

IT IS FURTHER ORDERED that this Order be immediately transmitted to the Indiana Supreme Court, Division of State Court Administration for publication on the state judicial website and approval by the Indiana Supreme Court.

SO ORDERED this 30<sup>th</sup> day of JULY, 2007.

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William E. Vance, Judge  
Jackson Circuit Court

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Bruce Markel III, Judge  
Jackson Superior Court